

**REMARKS**

This Amendment is filed in response to the Office Action mailed Oct. 30, 2008 in connection with a Petition for a 1-month Extension of Time. The Applicant respectfully requests reconsideration. All objections and rejections are respectfully traversed.

Claims 1-32 are now pending in the application.

New claims 29-32 have been added.

***Claim Rejections - 35 U.S.C. §103***

At paragraphs 4-13 of the Office Action, claims 1-28 were rejected under 35 U.S.C. §103(a) over Suzuki, U.S. Publication No. 2004/0100983 (hereinafter ‘Suzuki’) in view of Watanuki et al., U.S. Patent No. 6,853,639 (hereinafter ‘Watanuki’).

The Applicant’s claim 1, representative in part of the other rejected claims, sets forth (emphasis added):

1. A method for providing request compatibility in a multicast system, said method comprising:
  - receiving, by a layer 2 switch coupled between a group of receivers and a router, requests for traffic from said group of receivers;
  - determining, by said switch, whether said traffic requests contain incompatible request types;
  - if incompatible request types exist, then *separating said traffic requests into at least two groups based on type*; and
  - sending requests of different types to said router from different addresses of the layer 2 switch, to present an appearance to said router that the requests of different types are from different hosts.*

Prior networks have generally experienced incompatibility issues when an L2 switch attempted to aggregate multiple multicast requests of different types. The Applicant addresses this shortcoming of the prior art by “*separating said traffic requests into at least two groups based on type*” and “*sending requests of different types to said*

*router from different addresses of the layer 2 switch, to present an appearance to said router that the requests of different types are from different hosts.”* For example, (see dependent claims 6 and 7) the Layer 2 switch may create a first host identity associated with a first MAC address and a second host identity associated with a second MAC address, to present the appearance to the router that the requests of different types are from two different hosts, while they are actually from the same Layer 2 switch. As the requests appear to be from different hosts, the router may aggregate them into two groups, rather than one, thus avoiding conflicts.

The combination of Suzuki and Watanuki does not suggest “*separating said traffic requests into at least two groups based on type*” and “*sending requests of different types to said router from different addresses of the layer 2 switch, to present an appearance to said router that the requests of different types are from different hosts.*”

Rather than **separate and then send requests of different types from different addresses of a switch**, Suzuki describes a quite different approach that attempts to **convert requests of different types all to one type**. Specifically, Suzuki states “according to the invention, an any-source-multicast group join request sent from a client node to a router is translated into a source-specific-multicast group join request” by his router 110. See Suzuki paragraph 0018. That is, an any-source-multicast join request received on line 116 at the router 110, is translated, and then output as a source-specific multicast packet on a different line. See Suzuki paragraph 0061 and Fig. 3. As Suzuki teaches attempting to make requests of different types into the same type, it is not surprising that Suzuki does not teach the Applicant’s claimed techniques for separating and then sending requests of different types from different addresses of a switch, so they appear to be from different hosts.

The Office Action points to paragraphs 0063-0067 and 0075-0077 of Suzuki in relation to the claimed “*sending requests of different types to said router from different addresses of the layer 2 switch, to present an appearance to said router that the requests of different types are from different hosts.*” However such portions of Suzuki simply describe that to create a source-specific multicast packet the “source address” of

the multicast source server (Fig. 3, 131, 130) that originates the content must be determined and added to the packet. Paragraphs 0063-0067 and 0075-0077 do not deal with the addresses of an intermediate network device, such as Suzuki's router 110. That is, such portions in no way suggest, an intermediate network device, such as Suzuki's router 110, should send requests of different types from different addresses that have been assigned to it, as opposed to from the same address.

Accordingly, Suzuki does not teach any mechanism to *“present an appearance ... that the requests of different types are from different hosts.”* For example, Suzuki's router 110 does not attempt to appear to other devices as multiple different hosts. It simply attempts to translate all requests to the same type and then sends them towards multicast source servers (130, 131). By way of example, the Applicant respectfully directs the Examiner's attention to Fig. 3 of the Application, which depicts an example switch 330 presenting an appearance of being two different hosts (L2<sub>a</sub> and L2<sub>b</sub>), while it is in fact one physical device. Nothing akin thereto is suggested in Suzuki.

Combination with Watanuki does not remedy the shortcomings of Suzuki. Watanuki merely discusses an “inter-LAN relay device 20” that checks if a layer 3 (L3) multicast protocol is used in a message, and, if so, “converting the L3 multicast protocol message into an L2 multicast protocol message.” See Watanuki col. 5, line 7 to col. 6, line 3 and col. 7, lines 22-26. Such message protocol conversion in no way suggests separating requests of different types then sending the requests of different types from different addresses, to present an appearance that the requests of different types are from different hosts.

Accordingly, the Applicant respectfully urges that the combination of Suzuki and Watanuki is legally insufficient to make obvious the present claims under 35 U.S.C. §103 because of the absence of the Applicant's claimed novel *“separating said traffic requests into at least two groups based on type”* and *“sending requests of different types to said router from different addresses of the layer 2 switch, to present an appearance to said router that the requests of different types are from different hosts.”*

In the event that the Examiner deems personal contact desirable in disposition of this case, the Examiner is encouraged to call the undersigned attorney at (617) 951-2500.

In summary, all the independent claims are believed to be in condition for allowance and therefore all dependent claims that depend there from are believed to be in condition for allowance. The Applicant respectfully solicits favorable action.

Please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,

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